

**AGENDA**  
**CONNECTICUT MEDICAL EXAMINING BOARD**

**Tuesday, February 17, 2009 at 1:30 PM**

Department of Public Health Complex  
410 Capitol Avenue, Hartford Connecticut  
Conference Room C - Building 470

**CALL TO ORDER**

**I. MINUTES**

**II. UPDATES**

- A. Chair Updates
- B. Information Updates  
Department of Public Health

**III. LEGAL OFFICE BUSINESS**

- A. George Giffault, MD – Petition No. 2006-1115-001-196  
*Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH*
- B. Pasquale J. DeMatteo, DO – Petition No. 2007-0706-001-119  
*Presentation of Consent Order – Stanley Peck, Section Chief, Legal Office, DPH*

**IV. 120 DAY EXTENSIONS**

Charles Jones, MD – Petition No. 2006-0111-001-010  
Kimberly Meyer, PA – Petition No. 2008 1010-023-007  
Bernard Raxlen, MD – Petition No. 2003-1216-001-286  
Patrick Rocco, MD – Petition No. 2006-0425-001-079

**V. OLD BUSINESS**

Office of Chief Public Defender - Request for Declaratory Ruling

***ADJOURN***

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD**  
**MINUTES OF MEETING**  
**January 20, 2009**

The Connecticut Medical Examining Board held a meeting on Tuesday, January 20, 2009 at the Department of Public Health, Capitol Avenue, Hartford, Connecticut in Conference Room C, Building 470.

---

***BOARD MEMBERS PRESENT:***

Regina Stankaitis, Chairperson  
Richard Bridburg, MD  
Martin Courneen  
Michael Erickson  
Douglas Fellows, MD  
David M. Goldenberg, MD  
Robert Green, MD  
Steven Hanks, MD  
Henry Jacobs, MD  
Michael Lindberg, MD  
Howard Sadinsky, DO  
Susan Wernick  
C. Steven Wolf, MD

***BOARD MEMBERS ABSENT***

Anne Doremus  
Patricia Loving, PA

---

Ms. Stankaitis called the meeting to order at 1:30 p.m.

**I. MINUTES**

The draft minutes of the December 16, 2008 meeting were reviewed. Dr. Bridburg made a motion, seconded by Dr. Green, to approve the minutes. The motion passed with all in favor except Dr. Goldenberg who abstained

**II. CHAIR UPDATES**

The following correspondence/information was received and reviewed:

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. Ms. Stankaitis announce that Dr. Jacobs will represent the Board at the 2009 annual meeting of the Federation of State Medical Boards.
4. The Department of Public Health legislative proposals for 2009 will be presented at the January 2009 meeting.

**III. INFORMATION UPDATES**

**A. Department of Public Health**

A copy of Proposed Bill No. 5086 "An Act Concerning the Connecticut Medical Examining Board" was provided to the Board. The Department of Public Health Office of Government Relations will track this bill and provide information as to any scheduled public hearings.

Mr. Erickson arrives at 1:35 p.m.

**IV. LEGAL OFFICE BUSINESS**

**A. Gary Bykoff, MD – Petition No. 2006-1115-001-196**

Matthew Antonetti, Principal Attorney, Department of Public, presented a Consent Order in the matter of Gary Bykoff, MD. Attorney Katherine Callahan was present on behalf of Dr. Bykoff. Dr. Hanks made a motion, seconded by Mr. Courneen that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

Dr. Jacobs arrives at 1:45 p.m.

**B. Robert Dudek, MD – Petition No. 2008-0916-001-166**

Matthew Antonetti, Principal Attorney, Department of Public, presented a Consent Order in the matter of Robert Dudek, MD. Dr. Dudek was present with Attorney Hilary Fisher Nelson.

Dr. Hanks made a motion, seconded by Mr. Erickson, that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

**C. Martin Frank, MD – Petition No. 2008-1205-001-242**

Matthew Antonetti, Principal Attorney, Department of Public, presented a Consent Order in the matter of Martin Frank, MD. Dr. Frank was not present or represented.

Dr. Hanks made a motion, seconded by Mr. Erickson, that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

**D. Vibha G. Gautam, MD – Petition No. 2008-0603-001-088**

Stanley Peck, Section Chief, Legal Office, Department of Public, presented a Consent Order in the matter of Vibha G. Gautam, MD. Neither respondent nor her attorney was present.

Dr. Bridburg made a motion, seconded by Mr. Courneen, that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

**E. Tarik Kardestuncer, MD – Petition No. 2007-0611-001-104**

Stanley Peck, Section Chief, Legal Office, Department of Public, presented a Consent Order in the matter of Tarik Kardestuncer, MD. Neither respondent nor his attorney was present.

Dr. Green made a motion, seconded by Mr. Courneen, that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

**F. Vipul Dua, MD – Petition No. 2008-0630-001-119**

Stanley Peck, Section Chief, Legal Office, Department of Public, presented a Consent Order in the matter of Vipul Dua, MD. Neither respondent nor his attorney was present.

Dr. Wolf made a motion, seconded by Dr. Bridburg, that the Consent Order be approved. The motion passed unanimously. Ms. Stankaitis signed the Order.

**V. HEARING PANEL ASSIGNMENTS**

**Efraim Gomez-Zapata, MD – Petition No. 2007-0817-001-146**

Dr. Goldenberg will chair the hearing panel in this matter. The other panelists will be Dr. Hanks. The Board Liaison will seek a public member panelist for this hearing and will coordinate the scheduling of hearing dates.

**Peter Teiman, MD – Petition No. 2008-0618-001-111**

Ms. Stankaitis will chair the hearing panel in this matter. The other panelists will be Dr. Sadinsky. The Board Liaison will seek a third panelist for this hearing and will coordinate the scheduling of hearing dates.

**VI. TIME EXTENSIONS**

Dr. Bridburg moved and Dr. Hanks seconded to approve a 120-day extension in the following matters:

Peter Benet, MD – Petition No. 2007-0517-001-091: The Department of Public Health and respondent are actively negotiating a Consent Order in this matter.

Randy Hassen, MD – Petition No. 2007 1210-001-209: A third hearing date is scheduled for January 30, 2009.

Mary Miller, MD – Petition No. 2005-0927-001-235: The hearing panel has scheduled a second fact-finding meeting for February 9, 2009

**VII. NEW BUSINESS**

**Request for Declaratory Ruling**

The Board reviewed a request filed by the State of Connecticut, Division of Public Defender Services, Office of Chief Public Defender asking the Board to issue a declaratory ruling regarding physician participation in the execution of condemned Connecticut inmates by use of lethal injection. The request asks the Board to rule as to whether physician participation in an execution, as defined by the American Medical Association Code of Medical Ethics Opinion 2.06 constitutes a departure from the ethics of the medical profession, and/or, would a participating physician be subject to disciplinary proceedings pursuant to Connecticut General Statute §§ 20-13c(4), 20-13c (5) or any other state statute or regulation.

Assistant Attorney General Kerry Colson was present to provide counsel to the Board.

Attorney Michael Courtney was present on behalf of the Office of Chief Public Defender.

Attorney Colson advised the Board as to the procedures for acting on a request for a declaratory ruling.

During discussion Dr. Hanks made a motion, seconded by Dr. Bridburg, to enter executive session to obtain legal advice from the Assistant Attorney General. The motion passed and the Board entered executive session from 2:33 p. m. until 2:43 p.m. during which it received legal advice from Attorney Colson. No motions were made and no votes were taken during executive session.

Following executive session Dr. Fellows made a motion, seconded by Dr. Bridburg to deny the request for declaratory ruling. During discussion Dr. Hanks made a motion, seconded by Dr. Goldenberg, to table this matter until the February 17, 2009 Board meeting. The motion to table passed. The motion to deny was not acted upon.

Attorney Courtney made a request to address the Board but was denied in that the matter was tabled.

**VIII. ADJOURNMENT**

As there was no further business, the meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Regina Stankaitis, Chairperson